

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-v-

ROBERT CAPOFARI,

Defendant.
-----X

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: 18cr0728 (DLC)
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:

: CORRECTED ORDER
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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/16/2020

DENISE COTE, District Judge:

For the reasons set forth in defense counsel's sealed letter dated July 16, 2020 and with the consent of the Government, it is hereby

ORDERED that the September 11, 2020 sentencing date is rescheduled for **October 1, 2020** at **2 p.m.** to occur in-person in Courtroom 18B, 500 Pearl Street, if that is possible and the defendant desires to appear in person.

IT IS FURTHER ORDERED that defense counsel shall advise the Court by **September 11, 2020** whether the defendant prefers to proceed in a videoconference, or in the event an in-person conference cannot occur on October 1, whether he consents to proceed through a videoconference.

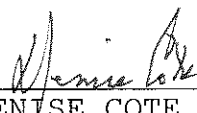
IT IS FURTHER ORDERED that if the defendant prefers or consents to a videoconference sentencing, an Order will issue that provides the date and time of the videoconference, as well as the credentials necessary for accessing the proceeding via CourtCall. The CourtCall platform permits the defendant,

defense counsel, and the Government to appear, each from their separate locations, before the Court by video, and affords the defendant and defense counsel the opportunity to consult with each other separately in a breakout room upon request.

IT IS FURTHER ORDERED that defense counsel shall discuss the attached form, Waiver of Right to be Present at Criminal Proceeding, with the defendant. If there is informed and voluntary consent to waive his right to be present in-person at the proceeding, defense counsel shall file with the Court the executed form by **September 11**. Counsel is advised that in the event the defendant consents but counsel is unable to obtain the defendant's physical signature on the attached form, the Court will conduct an inquiry on October 1 to determine whether it is appropriate for the Court to add the defendant's signature to the form.

IT IS FURTHER ORDERED that the Government's submission regarding sentence shall be due **September 17** and the defendant's submission shall be due **September 24**.

Dated: New York, New York
July 16, 2020



DENISE COTE
United States District Judge